

American Medical Association

Physicians dedicated to the health of America



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June 20, 2000

The Honorable Patrick J. Leahy
United States Senate
433 Russell Senate Office Building
Washington, DC 20510

Dear Senator Leahy,

On behalf of our 300,000 physicians and medical student members, the American Medical Association (AMA) urges you to support the amendment that Senator Patrick Leahy (D-VT) plans to offer during the Judiciary Committee's consideration of S. 353, the "Class Action Fairness Act of 1999." The Leahy amendment would appropriately allow tobacco class action suits to proceed at the state level, rather than giving the federal district courts original jurisdiction over tobacco litigation. The AMA believes that the Committee's acceptance of Senator Leahy's amendment is vital to the continued existence of class action suits against the tobacco industry.

Unfortunately, the House of Representatives has already passed a class action bill, which like the current version of S. 353, would permit tobacco companies to move class action suits from state to federal court. In fact, Professor Richard Daynard of Northeastern University testified against both the House and Senate legislation by stating, "To send tobacco class actions to federal court is to send them to their death," and that the bills "would have the almost certain effect of extinguishing all class actions against tobacco companies."

The tobacco industry is attempting to use any means possible to insulate itself against liability for its products -- which in addition to creating over 300,000 child smokers per year -- causes premature death and disease when used as directed. Please support the Leahy amendment to ensure that the tobacco companies cannot insulate themselves from state court decisions in class action suits.

Respectfully,

A handwritten signature in black ink, appearing to read "E. Ratcliffe Anderson, Jr.", written over a horizontal line.

E. Ratcliffe Anderson, Jr., MD